IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

S.B. Civil Writ Petition No. 1522/2005.

Smt. Kaushalya Devi Vs. State & ors.

Date of order : 17.03.2005

HON'BLE MR. JUSTICE R.P. VYAS

Mr. R.S. Saluja for the petitioner.

The instant petition has been filed by the petitioner seeking a direction against the respondents to grant ex-gratia payment to the petitioner as contemplated by Rule 268HH of Rajasthan Service Rules, 1951.

It is submitted by the learned counsel for the petitioner that after death of her husband the petitioner has been given compassionate appointment and she is working as Beldar. He further submitted that as per provision of Rule 268HH of the Rajasthan Service Rules, 1951, she is entitled to ex-gratia grant.

It is also contended by the learned counsel for the petitioner that she has made

representations, but no heed was paid.

Heard learned counsel for the petitioner.

During the course of arguments, it has been requested by the learned counsel for the petitioner that the respondents be directed to consider the representation of the petitioner. Since the request of the petitioner is only for consideration of the representation, therefore, the instant petition is disposed of at this stage by giving a direction to the respondents to consider the representation of the petitioner in accordance with law only.

Thus, this writ petition filed by the petitioner is disposed of in the manner that the petitioner is directed to file a representation within a period of 15 days from today and the respondents shall consider and decide the same either way in accordance with law within one month from the date of receipt of representation. It is found that the petitioner is entitled for any relief in accordance with law, then the same may be given to the petitioner and if the petitioner

is not entitled to the relief sought for, then a reasoned and speaking order may be passed, strictly in accordance with law, after affording an opportunity of hearing to the petitioner.

With the aforesaid observations and directions, the writ petition stands disposed of.

(R.P. VYAS)J.